



Customer No. 30223

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor Application Of:)
Stephan S. Porter et al.)

Atty. Docket No.: 47168-00245USPT

Examiner: John J. Wilson

Application No.: 10/713,328)

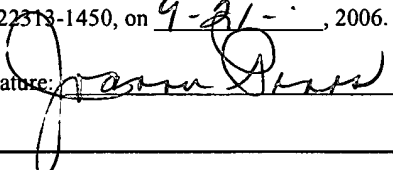
Group Art Unit: 3732

Filed: November 13, 2003)

For: Dental Implant)
System)

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on 9-21-06, 2006.

Signature: 

37 CFR § 1.131 DECLARATION OF STEPHAN S. PORTER, DAN P. ROGERS, AND RALPH E. GOODMAN

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

We, Stephan S. Porter, Dan P. Rogers, and Ralph E. Goodman, declare that:

1. We are the co-inventors of United States Patent Application No. 10/713,328.
2. Implant Innovations Inc. is the assignee of United States Patent Application No. 10/713,328.
3. We invented the subject matter disclosed and claimed in this patent application prior to December 7, 2001, the priority date of United States Patent Publication No. 2004/0038179 A1 to Kumar et al. ("the Kumar reference").
4. We invented the subject matter disclosed and claimed in this patent application prior to June 3, 2002, the priority date of United States Patent Publication No. 2003/0224327 A1 to Constantino ("the Constantino reference").

5. Well before the priority date of the Kumar reference and the Constantino reference, we were involved in developing a new dental implant and abutment design at Implant Innovations, Inc. As part of the development of the dental implant and abutment, several Computer Aided Design ("CAD") drawings of different iterations of the implant and the abutment were made. Exhibit A was created before December 7, 2001, and shows one iteration of CAD drawing of the implant. Exhibit B was created before December 7, 2001, and shows one iteration of CAD drawing of the abutment.

6. Exhibit C is a CAD drawing of another iteration of the implant. Exhibit C was created before December 7, 2001, the priority date of the Kumar reference.

7. Exhibit D is a CAD drawing of another iteration of the abutment. Exhibit D was created before December 7, 2001, the priority date of the Kumar reference.

8. Physical prototypes of the design shown in the CAD drawing of Exhibit A, Exhibit B, Exhibit C, and Exhibit D were created before the priority date of the Kumar reference of December 7, 2001. Some of the information has been redacted from the CAD drawings of Exhibit A, Exhibit B, Exhibit C, and Exhibit D.


9. Exhibit E is a Testing Request Form requesting the testing of the physical prototypes of the implants shown in Exhibit C and the physical prototypes of the abutment shown in Exhibit D. Exhibit E is dated before December 7, 2001, the priority date of the Kumar reference. Some of the information has been redacted from the Testing Request Form of Exhibit E.

10. We diligently continued our work on the new dental implant and abutment design that is the subject of the pending claims from prior to December 7, 2001 to February 26, 2003, the filing date to the second-filed provisional application (Serial No. 60/450,541) to which our currently pending application claims priority. The development of this new dental implant and abutment continued at Implant Innovations, Inc. until these products were commercially released as the Certain® implant line of products in 2003.

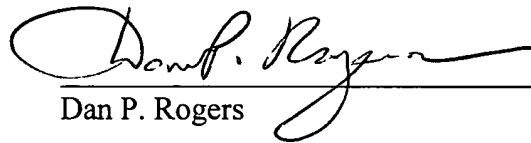
11. Based on these facts, it is clear that we invented the subject matter of the presently claimed invention prior to December 7, 2001, the priority date of the Kumar reference, and prior to June 3, 2002, the priority date of the Constantino reference.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code.

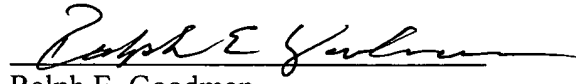
9/7/2006
Date


Stephen S. Porter

9/5/2006
Date


Dan P. Rogers

9.5.06
Date


Ralph E. Goodman